

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTHONY JACKSON

v.

JOHN KERESTES,
SUPERINTENDENT, et al.

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CIVIL ACTION

No. 15-4882

ORDER

AND NOW, this 28th day of February, 2020, upon careful and independent consideration of Petitioner Anthony Jackson's pro se Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254, and after de novo review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin and Jackson's objections, it is ORDERED:

1. Jackson's objections (Document 33) are OVERRULED.¹
2. The Report and Recommendation (Document 23) is APPROVED and ADOPTED.

¹ On August 15, 2008, a jury convicted pro se Petitioner Anthony Jackson of attempted murder, aggravated assault, criminal conspiracy, and related offenses. Jackson was sentenced to an aggregate term of 15-30 years' imprisonment. On November 22, 2017, Jackson filed the instant Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, asserting five separate claims of ineffective assistance of counsel. On September 9, 2019, United States Magistrate Judge Henry S. Perkin issued a Report and Recommendation (R&R) recommending Jackson's habeas petition be denied with prejudice and dismissed without an evidentiary hearing. The R&R found each of Jackson's claims was procedurally defaulted and lacked merit. On November 15, 2019, Jackson filed objections to the R&R pursuant to 28 U.S.C. § 636(b)(1). The Court reviews de novo "those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1).

Jackson's objections to the R&R are duplicative of the arguments he raised in his habeas petition and accompanying memorandum of law. *See, e.g.*, Objs. 10 ("Jackson stands on the claim presented and argue[d] in his original habeas corpus petition and memorand[u]m of [l]aw."). In the R&R, Judge Perkin gave careful and thorough consideration to Jackson's arguments. After de novo review of the record, the R&R, and Jackson's objections, the Court finds no error in the R&R's analysis of Jackson's claims. Insofar as Jackson asserts the R&R misconstrues his claims, the Court finds no merit to this claim. Accordingly, the Court overrules Jackson's objections for the reasons stated in the R&R.

3. Jackson's Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254 (Document 1) is DENIED with prejudice and DISMISSED without an evidentiary hearing.

4. Jackson having failed to make a substantial showing of the denial of a constitutional right, i.e., that reasonable jurists would disagree with this Court's procedural and substantive rulings on Jackson's claims, a certificate of appealability shall not issue. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000).

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, C.J.